

**REMARKS**

The Office Action mailed December 12, 2008 has been carefully considered. Within the Office Action, Claims 19-25 and 27-33 have been rejected. Applicant has amended Claims 19, 25 and 31-33. No new matter has been added. Reconsideration in view of the following remarks is respectfully requested.

**Rejection under 35 U.S.C. § 103**

Claims 19-25 and 27-33 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 5,102,404 to McIntosh (hereinafter "McIntosh") in view of Japanese Laid-Open Patent Application No. H5-192449 to Koma et al. (hereinafter "Koma"). This rejection is respectfully traversed.

In determining obviousness four factual inquiries must be looked into in regards to determining obviousness. These are determining the scope and content of the prior art; ascertaining the differences between the prior art and the claims in issue; resolving the level of ordinary skill in the pertinent art; and evaluating evidence of secondary consideration. Graham v. John Deere, 383 U.S. 1 (1966); KSR Int'l Co. v. Teleflex, Inc., No 04-1350 (U.S. Apr. 30, 2007) ("Often, it will be necessary . . . to look into related teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an **apparent reason** to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis **should be made explicit.**") (emphasis added).

One of skill in the art would not combine McIntosh and Koma

The Office Action contends that the electronically simulated kickback/vibration to emulate the firing of a real gun is an obvious variation of a plurality of electronically defined stop positions, and that one of ordinary skill in the art at the time of the invention was made would include the simulation of Koma into McIntosh to provide the user with a real feel of inputs. Applicants disagree.

The simulated kickback/vibration is not an obvious variation of a plurality of electronically defined stop positions. First, Koma does not even describe a plurality of electronically defined stop positions. Koma only has one stop position – the user fires and it returns to a single “stop” position. Furthermore, Koma does not provide the feedback based on position information. In Koma, the feedback is provided irregardless of the position of the trigger when the user fires the video game gun.

Furthermore, both Koma and McIntosh describe providing a real feel of feedback to the user; thus, Applicants submit that the reason for including the simulation of Koma and McIntosh provided in the Office Action is insufficient.

The cited art fails to disclose all of the limitations of the independent claims

Even if one skilled in the art were to combine the cited art, the combination would not teach or suggest each and every element/limitation of the claims.

As explained at, *inter alia*, paragraphs [0065] – [0071] of the present specification, the torque profile information that is sent to the device relates the tactile responsiveness of the device to a graphical user interface of the screen display of an application running on the host computer. The correct torque profile is downloaded or made available to the device to generate the appropriate digital signals in response to the position information received from the encoders.

The position information is transmitted from the encoders to the host to identify the present position of the cursor on the display screen, which is communicated back to the device. The device then generates digital information corresponding to the appropriate torque relative to the position of the cursor on the screen in accordance with the relevant torque-position profile for that screen display.

McIntosh does not disclose receiving torque profiles from a host computer at the microprocessor that is selected based on the application running on the host computer. McIntosh also does not disclose receiving position information from the host computer or selecting torque data based on the position information and application running on the computer. Koma similarly fails to disclose these limitations.

The Office Action points to the fact that McIntosh discloses that the motion of the motor is determined by the operator or preprogrammed motion instructions, and that this disclosure is relevant to the local controller and a force profile. Applicants disagree. When McIntosh discusses that the motion of the motor is determined by preprogrammed motion instructions, McIntosh is in fact referring to a robot that may be programmed to move the manipulator (as opposed to a human operator). It, however, would not make sense to provide any haptic feedback to a robot. Thus the preprogrammed motion instructions of McIntosh cannot be the torque data that is used at the controller to provide the haptic feedback.

Furthermore, neither Koma nor McIntosh describe providing a plurality of electronically defined stop positions. The Office Action admits McIntosh fails to disclose a plurality of electronically defined stop positions. Furthermore, as described above, Koma only has one stop position – the user fires and it returns to a single “stop” position. Furthermore, Koma does not provide the feedback based on position information. In Koma, the feedback is provided regardless of the position of the trigger when the user fires the video game gun.

Thus, the cited art fails to teach or suggest all of the limitations of independent claims 19, 25 and 31. Claims 20-24, 27-30 and 32-33 depend, directly or directly, from one of the foregoing independent claims. Accordingly, Applicants request withdrawal of the rejections under 35 U.S.C. § 103.

Conclusion

It is believed that this reply places the above-identified patent application into condition for allowance. Early favorable consideration of this reply is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-3557.

Respectfully submitted,

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Dated: March 10, 2009

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